

Safe, Clean Water Program

Regional Oversight Committee



Meeting Minutes:

Monday, July 20, 2020
3:00pm - 5:00pm
WebEx Meeting

Attendees:

Committee Members Present:

Maria Mehranian (Cordoba Corp.)
Diana Tang (City of Long Beach)
Kristine Guerrero (League of Cities)
Charles Trevino (Upper San Gabriel Valley
Municipal Water District)

Shelley Luce (Heal the Bay) – Co-chair
Lauren Ahkiam (LAANE) – Vice-chair
Carl Blum* (LA County Flood Control District)
Belinda Faustinos (Nature for All)
Irma Munoz* (LA Regional Water Quality Control
Board)

Committee Members Absent:

Barbara Romero (City of Los Angeles) – Co-chair
Elva Yanez (Prevention Institute)

*Non-voting members

See attached sign-in sheet for full list of attendees

1. Welcome and Introductions

Ms. Shelley Luce chaired the meeting, provided an overview of the agenda, and welcomed the Regional Oversight Committee (ROC) members and the public. The District conducted a rollcall of the ROC members and a quorum was confirmed.

The District conducted an overview of WebEx functionality and meeting protocols for both the ROC members and the public, reiterated the distributed materials and their availability on the webpage, and discussed the video conferencing guidelines.

2. Approval of June 18 and June 24, 2020 meeting minutes

The District displayed a copy of the meeting minutes from the previous meetings and the Chair invited discussion and comments.

Ms. Faustinos moved to approve the June 18 meeting minutes and Ms. Guerrero seconded the motion. There was no discussion of the motion. District staff facilitated a rollcall vote. **The ROC voted to unanimously approve the meeting minutes (Ayes: 7, Nays: 0)**

Ms. Guerrero moved to approve the June 24 meeting minutes and Ms. Faustinos seconded the motion. There was no discussion of the motion. District staff facilitated a rollcall vote. Mr. Trevino abstained. **The ROC voted to approve the meeting minutes (Ayes: 6, Abstain: 1, and Nays: 0)**

3. Public Comment Period

The Chair reiterated the 4 methods available for public comment and the order they would typically be addressed (comments cards submitted in advance, WebEx raised hands, callers, and requests in chat box), and then asked the District to facilitate. Mr. Frary acknowledged that there were 2 comments submitted in advance (attached to these minutes). Mr. Frary noted that the 2 comment cards received pertain to the specific Stormwater Investment Plans (SIPs) and recommended those be addressed at

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the next public comment period. Ms. Luce confirmed that the submitted comments would be held for Agenda Items 7 and 9.

No other requests for public comment were made during this agenda item.

4. Committee Member and District Updates

The Chair solicited any updates or announcements from the committee, noting that any statements on Stormwater Investment Plans should be reserved for the appropriate Agenda items. No committee members elected to speak and the Chair asked the District to provide their update.

Mr. Frary provided District updates on 5 topics: the potential conflict of interest finding and implications on the Ballona Creek TMDL Project, SIP approval process and timeline, Watershed Coordinator Solicitation, formation of subcommittees and working groups, and the latest project module updates for the current call for projects.

Mr. Frary indicated that there had not yet been a finding regarding the gray area of the potential conflict of interest from June 18th. He reiterated the current administrative protocols and Program goals in relation to the potential reconsideration of the CSMB SIP (regardless of if it were triggered by the confirmation of the ROC's 6/18 action or any new action).

Mr. Frary mentioned that upon review and recommendation of the 9 SIPs by the ROC, the Board of Supervisors is expected to consider the SIPs in late September or October. Mr. Frary also mentioned that the deadline for the solicitation for Watershed Coordinator Services was extended by one week (July 27th) and WASC are still expected to begin selecting Watershed Coordinators for their respective WASCs late this fall.

Mr. Frary stated that, as a follow-up to the committee's direction at the 6/24 meeting, the District confirmed with Counsel that working groups or subcommittees can be formed provided there is justification of a reasonable nexus to helping the committee carry out one of its duties or responsibilities. He laid out the terms and provisions related to such subcommittees and summarizes the various ways that ROC input could be provided to the District, specifically related to Disadvantaged Community benefits and community engagement. Mr. Frary also provided a summary of various enhancements to the project module for Year 2, including the solicitation of more detailed information on numerous topics, inclusion of an executive summary, and various tools and enhancements to provide guidance to the users.

Ms. Faustinos expressed her support of forming working groups or subcommittees to help provide guidelines on measuring disadvantage community benefits and community engagement and recommended the topic be included on the next meeting agenda.

Ms. Ahkiam asked about participation of committee members that are not involved in the working group or subcommittee. Mr. Frary clarified that any committee members, just like the public, can provide comments and recommendations to the District. If the 4-member limit for the subcommittees prevents all interested members from participating, the topics can be addressed directly at the ROC meetings.

Mr. Blum stated the importance of setting a baseline to measure success of the SCW Program and identified the need to more clearly define goals and what is needed for each watershed area. Mr. Blum recommended this topic be placed on the agenda for the next meeting.

Ms. Mehranian stated that she will recuse herself from any discussion and voting on the CSMB SIP.



5. Ex Parte Communication Disclosures

Ms. Luce shared that she had a discussion with Mr. Reznik regarding the need for guidance on Disadvantage Community (DAC) Benefits and the implications on the definition of a DAC Benefit if Ballona Creek TMDL project were to be deemed as providing a DAC Benefit.

Ms. Mehrenian shared that she attended a BizFed meeting where the Ballona Creek TMDL Project was discussed.

6. Public Comment Period

The Chair solicited public comment, starting with the comments submitted in advance.

Mr. Stahl and Mr. Pedersen expressed their support for the City of Los Angeles' Ballona Creek TMDL Project and reconsideration of the CSMB SIP due to the project's cost effectiveness and water quality benefits.

Mr. Reznik, Ms. Kamapalath, and Ms. Clark expressed their support to keep the CSMB SIP as it was submitted to the ROC at its June 18th meeting, stating that the project is important but the situation requires additional guidance. It was noted that the CSMB SIP was unanimously approved by the CSMB WASC and that considering the Ballona Creek TMDL Project as providing DAC Benefit is questionable and may set an undesirable precedent moving forward that is contrary to the intent during development of the Program.

Mr. Eftekharzadeh stated that the Ballona Creek TMDL Project was expensive and not optimized for innovation. He stated that he has reached out to the City with his technical objections and questions but has not received a response.

Mr. Shahram Kharagani indicated that LASAN had developed a number of options for how the Ballona Creek TMDL Project could potentially be incorporated should the CSMB SIP be revisited by the WASC.

7. Discussion of applicable Stormwater Investment Plan (SIP) Recommendations

The Chair acknowledged the Agenda 9 voting items and asked Mr. Frary to provide a quick overview. Mr. Frary provided a brief summary of both SIPs and their status, noting that the Chairs could go into more detail as appropriate. Ms. Luce confirmed that the WASC Chairs would introduce their SIPs, then the ROC would have specific discussions on each SIP, which would be followed by public comment and then voting.

a) Upper San Gabriel River (USGR) SIP

Mr. Alva, the Chair of the Upper San Gabriel River WASC, spoke on behalf of the WASC. He stated that the WASC considered the recommendations from the June 18th ROC meeting to prioritize projects based on the scores from the scoring committee and the preliminary rankings, ensure that funding is not overcommitted for the current 5-year period, and conduct additional investigation into project-specific community engagement. At the July 6th WASC meeting, the WASC approved a revised SIP that was in alignment with all ROC feedback and included the full requests for 6 Infrastructure Program Projects, 3 Technical Resources Projects, 1 Scientific Study, and 1 Watershed Coordinator.

Ms. Luce asked for additional detail on how the preliminary rankings and other tools were utilized to develop the revised SIP. Mr. Frary responded that Finkbiner Park Multi-benefit Stormwater Capture Project (under the Infrastructure Program) and the Brackett Field Stormwater Infiltration Project (under the Technical Resources Program) were lower priority items that were removed in the revised SIP. Finkbiner Park Multi-benefit Stormwater Capture



Project did not receive enough votes from the WASC to be ranked, and the Brackett Field Stormwater Infiltration Project was similar in nature to another higher ranking feasibility study.

Ms. Faustinos indicated that she liked the revised plan, though some of the lower scoring projects were still recommended for funding and there is opportunity to provide more DAC benefit.

Ms. Mehranian commended the WASC for their process on improving the SIP and motioned to approve the revised USGR SIP for Board consideration. Ms. Guerrero seconded. All further discussion and the subsequent vote were held for agenda item 9.

b) Central Santa Monica Bay (CSMB) SIP

Ms. Crosson, the Chair of the Central Santa Monica Bay WASC, spoke on behalf of the WASC. She gave a brief overview of the CSMB SIP and provided context on the recommendation and current situation. The WASC unanimously voted to include 7 Infrastructure Program Projects, 1 Technical Resources Program Project concept, and 2 Watershed Coordinators. She shared that the WASC had very robust conversation on DAC benefits and the WASC presented a SIP that was consistent with the current administrative protocols and guidance from the District. She also reiterated the strong merits of the Ballona Creek TMDL Project.

Ms. Ahkiam and Mr. Trevino asked the District about partial funding. Mr. Frary responded that for the first round of submissions, the WASC and the ROC were to consider the full funding amount as requested but were allowed to redistribute the total funding request over the 5-year period if deemed prudent. The District recognized that awarding partial funding would provide some flexibility to the WASCs but also reiterated that the intent of the program was to fund the project applicant's total request. Partial funding is still being explored for future years of implementation. The District was asked to clarify whether the prior action from June 18th still stood and what the committee options were. Mr. Frary reiterated the administrative protocols and clarified that, in light of no available finding regarding the potential COI, the committee could wait for a finding, consider a similar action to that of June 18th, or consider any other new action in light of the current circumstances. Ms. Mehrenian reiterated that she would recuse herself from any actions in the interest of allowing a decision to proceed. Ms. Luce discussed the timeline and her own better understanding of the situation. The committee agreed to wait for any motions until after public comment.

8. Public Comment Period

The Chair solicited any additional public comment.

Mr. Reznik expressed his concern about Ballona Creek TMDL Project providing meaningful DAC benefits and that the large cost of the project will pre-commit most of the funding for 5 years. Mr. Reznik voiced his support to approve the CSMB SIP as it was submitted to the ROC for its June 18th meeting or find a way to provide partial funding given that the City receives such a large local return. He stated that the ordinance language leaves some room for interpretation on partial funding. Mr. Frary cited that the administrative protocols for Year 1 already restricted the other WASCs from considering partial funding.



Mr. Kharaghani stated that City is working on partial funding scenarios for the Ballona Creek TMDL Project that are not dependent on the project being deemed to provide DAC benefits and will be available to the WASC if the ROC decides to return the SIP for reconsideration.

Mr. Shapiro reiterated that the CSMB WASC unanimously voted to approve the SIP that was submitted to the ROC for its June 18th meeting. Ballona Creek TMDL Project is a good project but seemed infeasible to include due to the DAC requirements and suggested the City bring it back for consideration in future years after considering all other options.

Mr. Eftekhazadeh restated his concern about the Ballona Creek TMDL Project and questioned the design and cost effectiveness of the project. He stated that the design could be optimized to reduce the cost of the project by a significant amount. He voiced his support to not include Ballona Creek TMDL Project in the CSMB SIP and his intent to provide a competing design in the future.

9. Voting Items

The Chair introduced the voting process, explaining that the ROC would vote on each SIP individually.

USGR SIP: Ms. Mehranian had made a motion to forward the revised USGR SIP to the Board of Supervisors as submitted. Ms. Guerrero seconded the motion. There was no further discussion of the motion. District staff facilitated a rollcall vote. **The ROC voted unanimously to forward the revised USGR SIP to the Board of Supervisors. (Ayes: 7, Nays: 0)**

CSMB SIP: Ms. Faustinos motioned to forward the CSMB SIP to the Board of Supervisors as it was submitted to the ROC for its June 18 meeting (superseding the prior action on June 18). Mr. Trevino seconded the motion. Additional committee discussions included acknowledgment of the value of the Ballona Creek TMDL Project and a request that the District further explore the potential for partial funding in the future. Ms. Mehranian abstained from the vote. District staff facilitated a rollcall vote. **The ROC voted to forward the CSMB SIP to the Board of Supervisors as it was submitted to the ROC for its June 18th Meeting (superseding the prior action on June 18th). (Ayes: 6, Abstain: 1, Nays: 0)**

10. Items for Next Agenda

The Chair indicated two items that came up during the course of the meeting and proposed that both be included in the next agenda - discussion on community engagement and DAC benefit subcommittees and discussion on measuring success of the SCW program and goals against a baseline for each watershed area.

The committee discussed the need for an agenda item about forming working groups or subcommittees versus just including a discussion of the topics of interest in a future meeting. Mr. Frary suggested that the agenda item could be written to allow discussion first and then the subsequent formation of a subcommittee if needed. He confirmed that he would work directly with the chair on the next agenda.

Mr. Antos acknowledged that having communities be engaged to help establish the right priorities, goals, and targets for their communities may be extremely helpful

Ms. Tang indicated that while transparent metrics and clarity on DAC benefits are very important, it's also important to keep the program moving as best able in the interim. The committee also discussed the role and timing of the Watershed Coordinators. Mr. Frary confirmed that Watershed Coordinators are expected to be a part of the Year 2 process once established, but that their full implementation won't be realized until Year 3.



11. Meeting Adjourned / Next meetings (tentative)

Ms. Shelley Luce thanked the ROC members and public for their time and participation. She noted that the tentatively scheduled August 11 meeting would be canceled since no further decisions on SIPs were currently needed and then adjourned the meeting.

Attendees

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Alfredo Magallanes	Jenny Newman	Ray Tahir
Adam Galia	Jim Stahl	Renee Purdy
Alex Tachiki	JJC	Rita Kampalath
Alison Sweet	Johanna	Ruby Wang
Alysen Weiland	Josette Descalzo	Selim.Eren
Andrea Crumpacker	Joshua Nelson	Shahram Kharaghani
Ariel Flores - LASAN	Joyce Amaro	Shahriar Eftekharzadeh
Armando D'Angelo	Jud Warren	Sharon Gallant
Art Castro	Julian Lee	Sheila Brice
Aydin Pasebani	Julie Carver	Shelley Luce
Belinda V Faustinos	Kathleen McGowan	Sheila Holts
Brenda Ponton, Woodard & Curran	Katie Harrel (CWE)	Simon Fowell
Brett Perry - LASAN	Katie Mika	Stephanie Tong -LACFCD
Bruce Hamamoto	Keith Lilley	Sunjay Lee
Bruce Reznik	kelly	Susie Santilena
Bryce Lee (JLHA)	Kevin Kim - LACFCD	Tom Love
Caitlin Gray	Kim Braun	Tori Klug (Stantec)
Carl L Blum	Kirk Allen -LACFCD	Vik Bapna - CWE
cdillon	Kristine Guerrero	Wendy Dinh
Charles D. Herbertson	Laura Santos	William O'Braitis
Charles Trevino	Lauren Ahkiam	
Christine McLeod	Lauren Amimoto	
CJ Caluag -LACFCD	Liz Crosson	
Conor Mossavi	Lonnie Chung	
Cristian Duran	Lynda	
Curtis Castle	Maria Mehranian	
D. Dolor	Marisol Ibarra	
Daniel Bradbury - LACFCD	Mark Hall	
David Pedersen	Mark Lombos	
Debbie Pham	Maryjane Macleod	
Deborah Deets	Matt Frary - LACFCD	
Dee Corhiran - LACFCD (SCW)	Mayra Cabrera	
Diana Tang	Melanie Morita - LACFCD	
Dustin Bambic	Melina Watts	
Eva Sung	Melissa Turcotte- LACFCD	
Fernando Villaluna	Michael Gagan	
GGreene	Michael Omary	
Guangyu Wang	Michelle Kim JLHA	
Irma Muñoz	Mike Antos (Stantec)	
Iwen Tseng	Neal Shapiro	
JB	Paul Alva	
Jennifer Santana	Rachel Roque	

